



# Public Health Emergency

FAQs and General Information

3/23/2020

## Table of Contents

- I. General Questions
- II. Statutory Filing Requirements
- III. Emergency Orders – Cease and Desist of In-Person Solicitation

## **I. General Questions**

- a) How will the market be notified of changes to the FAQs or general information document?

*Staff will update this document as new information becomes available and we advise suppliers to check our website regularly for updates.*

*We recommend suppliers stay apprised of Executive Orders issued by the governor that could affect the industry.*

## **II. Statutory Filing Requirements**

All suppliers are expected to comply with all statutory filing requirements. In cases where it is impossible to comply, please follow the guidance provided below.

- a) Will the deadline for filings that are mandated by statute be suspended?

*The suspension of deadlines can only be done by Executive Order of the governor. At this time, no such executive order has been issued.*

*If you cannot submit a required filing in a timely manner, please provide an affidavit that explains the nature of the filing and why the filing cannot be made on time, on or before the filing deadline.*

- b) If filings cannot be mailed, will electronic filings be accepted?

*Yes, if an entity is required by rule or statute to submit materials in hard copy paper format and the entity is unable to do so, the entity should submit the filing electronically with an affidavit accompanying the electronic filing. The affidavit should contain language that explains why providing a paper filing at this time is not possible. The affidavit should also contain an attestation that the electronic copy being filed is identical to the paper copy that will be submitted when filing in paper becomes practicable.*

*To submit filings electronically, filers should:*

- 1. Enter your company name in the "Entity Search" box on the ICC's main page (<https://www.icc.illinois.gov/>).*
- 2. When the list of entities comes up, next to the correct entity name, select "Profile" on the right-hand side of the page.*
- 3. When the entity profile page comes up, select the blue box in the middle of the page entitled "Reporting Requirements".*

4. *When the reporting requirements come up, you will see a list of the filings that your company submits to the Clerk's Office. Find the appropriate filing and then click the associated green box entitled "E-mail Filing to ICC".*

*This process will generate an e-mail with the address and subject line auto-filled. Use this e-mail to complete your filing. Please remember to include the attestation referred to above along with your filing. If you have questions about the process, please contact 217-782-7434 and staff will return your call in as timely a manner as possible.*

- c) For filings that require original signatures, will electronic signatures be accepted?

*Yes, for the time being, we will accept electronic signatures if it is impossible to obtain an original signature.*

- d) If the company's president is unavailable due to quarantine, will another company representative's signature be accepted?

*We will accept an electronic signature from the company's president.*

- e) For filings that require documents to be notarized, will that requirement be waived?

*Please note that under Section 200.130 as amended 6/17/19, verification by certification under Section 1-109 of the Code of Civil Procedure, 735 ILCS 5/1-109, is authorized for Commission documents in lieu of swearing before a notary. The following language is used to verify by certification:*

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she/he verily believes the same to be true.

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[signature]

### **III. Emergency Orders – Cease and Desist of In-Person Solicitation**

Due to the global COVID-19 epidemic and the presence of COVID-19 cases in Illinois, the Governor declared a Public Health Emergency. Preventing or minimizing the spread of COVID-19 necessitates reducing personal contact as much as is possible. As a result, on March 18, 2020, the Illinois Commerce Commission issued Emergency Orders for [ARES/AGS](#) to cease and desist all in-person solicitation. As stated in the EOs, “an in-person solicitation is defined by 83 Ill. Adm. Code 412.10 as ‘any sale initiated or conducted when the [A]RES agent is physically present with the customer.’” This includes warm marketing, door to door, kiosks, etc.

- a) The Emergency Orders direct ARES/AGS to prohibit in person solicitations by employees, agents and representatives. While the EOs do not explicitly mention ABCs, ARES/AGS should not reward or accept behavior that goes against the essence of the order, which is to protect the citizens of Illinois by limiting unnecessary personal contact with consumers.
- b) Do the Emergency Orders to cease and desist all in-person solicitations apply to “warm marketing”?

*The Emergency Orders apply to all in-person marketing and solicitation including “warm marketing”.*

- c) Agents affected by the Emergency Orders to cease and desist all in-person solicitations are advised to contact your management teams for additional information and direction.
- d) For questions regarding unemployment claims, please review the information on the IL Dept. of Employment Security [website](#).